

# Order

Michigan Supreme Court  
Lansing, Michigan

April 22, 2022

Bridget M. McCormack,  
Chief Justice

163702

Brian K. Zahra  
David F. Viviano  
Richard H. Bernstein  
Elizabeth T. Clement  
Megan K. Cavanagh  
Elizabeth M. Welch,  
Justices

JEFF BECKER,  
Plaintiff-Appellant,

v

SC: 163702  
COA: 351312  
Macomb CC: 2018-003200-NO

ENTERPRISE LEASING COMPANY OF  
DETROIT LLC,  
Defendant-Appellee.

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On order of the Court, the application for leave to appeal the September 16, 2021 judgment of the Court of Appeals is considered. We direct the Clerk to schedule oral argument on the application. MCR 7.305(H)(1).

The appellant shall file a supplemental brief within 42 days of the date of this order addressing whether the evidence, when viewed in the appellant's favor, created a genuine issue of material fact as to whether "an average person with ordinary intelligence would have discovered [the danger] upon casual inspection." *Hoffner v Lanctoe*, 492 Mich 450, 461 (2012). In the brief, citations to the record must provide the appendix page numbers as required by MCR 7.312(B)(1). The appellee shall file a supplemental brief within 21 days of being served with the appellant's brief. A reply, if any, must be filed by the appellant within 14 days of being served with the appellee's brief. The parties should not submit mere restatements of their application papers.

Persons or groups interested in the determination of the issue presented in this case may move the Court for permission to file briefs amicus curiae.

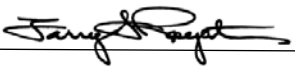
VIVIANO, J., not participating due to a familial relationship with the presiding circuit court judge in this case.



a0419

I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

April 22, 2022

  
Clerk